

REMARKS

The Office Action of March 30, 2005, has been reviewed and its contents carefully noted. Reconsideration of this case is earnestly requested. Claims 1-13 remain in this case, new claims 8-13 being added by this response. New claims 8-13 are supported by the original claims and throughout the specification; no new matter has been added.

The Examiner's attention also is drawn to the fact that, accompanying this Amendment is Applicant's Petition for Extension of Time of One (1) Month and payment of the required fee.

Allowable Subject Matter

Applicant gratefully acknowledges the Examiner's statement that claim 5 is allowed.

Claim 7 was objected to as being dependent upon a rejected base claim, but the Examiner indicated that it would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicant gratefully acknowledges the Examiner's statement that claim 7 is allowable. However, Applicant defers amendment of claim 7 at this time, as noted below in response to the rejections of claims 1, 2, 4 and 6. More particularly, Applicant maintains that independent claim 1 should be allowable and, therefore, amendment of claim 7 is unnecessary. Reconsideration and withdrawal of the objection to claim 7 are therefore earnestly requested.

Rejection under 35 USC § 102

Claims 1, 2, 4 and 6 were rejected under 35 USC § 102(b) as being anticipated by McClain (U.S. Pat. No. 5,358,013). Applicant respectfully disagrees with the rejection.

It is respectfully submitted that McClain does not disclose all of the claimed features of Applicant's independent claim 1, for the same reasons as the previously cited reference to Hermanson, already made of record. The arguments with respect to the rejection over Hermanson are hereby repeated herein by reference. McClain suffers from essentially the same drawbacks as Hermanson, most notable being the fact that there appears to be no rolled edge whatsoever, as recited in Applicant's claim 1, disclosed anywhere in the McClain reference.

However, the Examiner maintains that the "third flange portion" 18 of McClain, which is "bent reversedly to the second portion" (McClain col. 2, lines 25-26, emphasis added) constitutes the "rolled edge" that is recited in Applicant's claim 1. Applicant respectfully disagrees.

Nowhere in McClain is the third flange portion 18 described as being rounded and having a tube cavity "defined within an annular radially outer roll and annular rounded perimeter". Further, it is apparent from the specification and drawing in McClain that the "third flange portion" 18 of McClain is flat, not tubular. Indeed, the specification states that the "third flange portion" 18 is formed by folding (see, *e.g.*, specification at col. 2, lines 25-26: "third flange portion 18 is bent reversedly to the second portion"). Furthermore, the Examiner has not identified any structure in the reference that constitutes a "rolled edge," as recited in Applicant's claim 1. Indeed, there appears to be no disclosure of a connector having a "rolled edge" anywhere in McClain.

Thus, it is respectfully submitted that McClain lacks at least the rolled edge features of Applicant's claims (as well as numerous other claimed features not argued at this time) and, therefore, the claims cannot be anticipated by the reference. Reconsideration and withdrawal of the anticipation rejection of claim 1 are earnestly requested.

Dependent claims 2, 4 and 6, being dependent from and further limiting independent claim 1, should be allowable for the same reasons, as well as for the additional limitations recited therein. Reconsideration and withdrawal of the rejection of claims 1, 2, 4 and 6 as being anticipated by McClain are therefore respectfully requested.

Applicant disagrees with the rejection, nevertheless, in order to advance prosecution of the application and to further clarify the claim language, new claims 8-14 are hereby introduced to expressly recite that the claimed "rolled edge" is a rounded structure (*i.e.*, not bent flat) located at the distal edge of the sheet metal of the connector. Contingent upon the Examiner's entry and allowance of new claims 8-14, Applicant proposes to cancel claims 1, 2, 4 and 6.

Rejections under 35 U.S.C. § 103

Claims 3 was rejected under 35 U.S.C. 103(a) as being unpatentable over McClain in view of Janakirama-Rao.

Applicant respectfully disagrees, and believes the claims are patentable over McClain in view of Janakirama-Rao, individually and in combination, for the reasons given above in respect to the section 102 rejection of claim 1 (from which claim 3 depends). The arguments above as to the novelty of claim 1 are repeated here by reference. As explained above, McClain lacks multiple features of Applicant's claim 1. Furthermore, Janakirama-Rao does not cure the deficiencies of McClain (note that Janakirama-Rao was cited expressly to show the duct sealer feature). The combination of McClain and Janakirama-Rao does not teach or suggest an apparatus for connecting and sealing duct sections having first and second connectors, each connector comprising a tubular member, and an annular flange, extending radially outwardly from an outer end of the tubular member, as recited in Applicant's independent claim 1. It is respectfully submitted that the rejection is thus overcome.

Although Applicant disagrees with the rejection, as noted above, in order to advance prosecution of the application and to further clarify the claim language, new claims 8-14 are hereby introduced to expressly recite that the claimed "rolled edge" is a rounded structure (*i.e.*, not bent flat) located at the distal edge of the sheet metal of the connector. Contingent upon the Examiner's entry and allowance of new claims 8-14, Applicant proposes to cancel claim 3.

Conclusion

Applicant believes the claims are patentable over the prior art, and that this case is now in condition for allowance of all claims therein. Such action is thus respectfully requested. If the Examiner disagrees, or believes for any other reason that direct contact with Applicant's attorney would advance the prosecution of the case to finality, he is invited to telephone the undersigned at the number given below.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file."

Respectfully Submitted:
-- Mark E. Poole --

By: Thomas T. Aquilla
--Thomas T. Aquilla, Reg. No. 43,473 --
Attorney for Applicant

AQUILLA & ASSOCIATES
88 Lower Creek Road
Ithaca, NY 14850
(607) 227-4428 • (607) 347-4191 (fax)
e-mail: tracy@aquillalaw.com
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